

## AMENDMENT / RESPONSE TRANSMITTAL

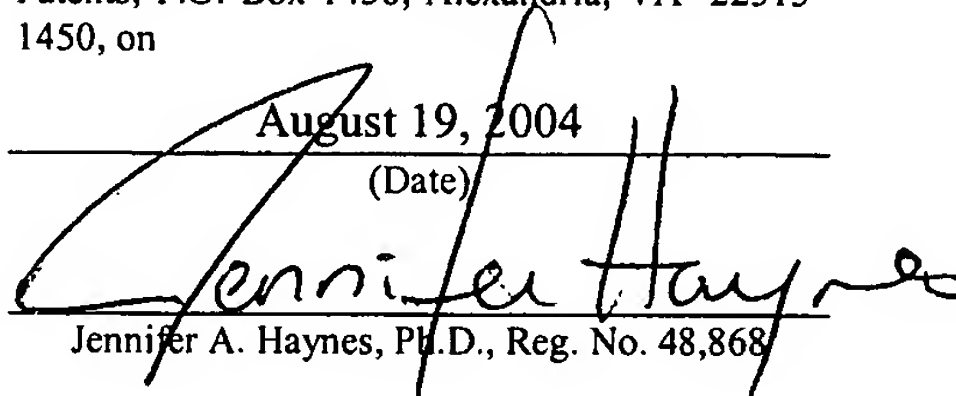
Applicant : Goddard et al. (as amended)  
App. No. : 10/063,523  
Filed : May 2, 2002  
For : A POLYPEPTIDE  
UNDEREXPRESSED IN  
STOMACH TUMORS (as  
amended herein)  
Examiner : Seharaseyon, Jegatheesan  
Art Unit : 1647

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 19, 2004

(Date)

  
Jennifer A. Haynes, Ph.D., Reg. No. 48,868

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

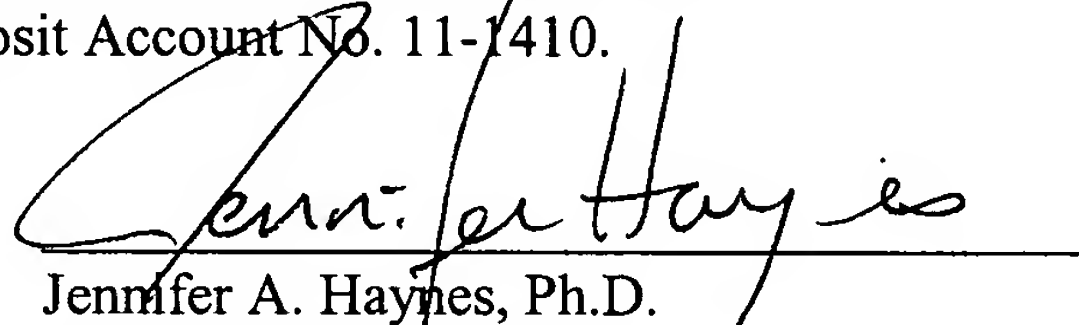
Transmitted herewith for filing in the above-identified application are the following enclosures:

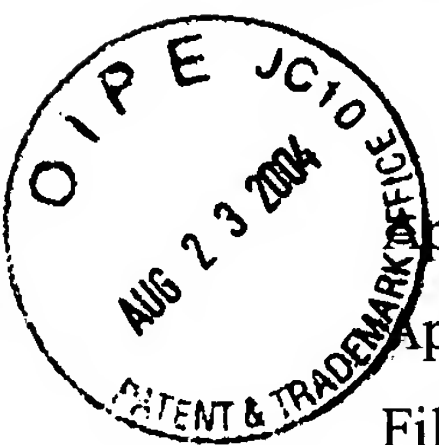
- (X) AMENDMENT AND RESPONSE TO OFFICE ACTION in 20 pages.
  - (X) Exhibit A: Copy of Declaration of J. Christopher Grimaldi
  - (X) Exhibit B: Copy of Declaration of J. Christopher Grimaldi
  - (X) Exhibit C: Copy of Declaration of Dr. Paul Polakis
  - (X) Exhibit D: Article by Orntoft et al.
  - (X) Exhibit E: Article by Hyman et al.
  - (X) Exhibit F: Article by Pollack et al.
  - (X) Exhibit G: Copy of Declaration of Avi Ashkenazi, Ph.D.
  - (X) Exhibit H: Article by Hanna and Mornin
- (X) A RESPONSE TO NOTICE TO COMPLY in 2 pages
  - (X) Copy of Notice to Comply
  - (X) Sequence Listing in 205 pages
- (X) An Information Disclosure Statement in 1 Page
- (X) A PTO Form 1449 listing 2 references, one of which is enclosed

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	11 - 20 =	1202 (\$18)	0 x 18 =	\$0
Independent Claims	3 - 3 =	1201 (\$86)	0 x 86 =	\$0
Multiple Claim		1203 (\$290)		\$0
1 Month Extension		1251 (\$110)		\$0
2 Month Extension		1252 (\$420)		\$0
3 Month Extension		1253 (\$950)		\$0
Deletion of Inventors		1808 (\$130)		\$130
			<b>TOTAL FEE DUE</b>	<b>\$130</b>

- (X) A check in the amount of \$130 is enclosed.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

  
Jennifer A. Haynes, Ph.D.  
Registration No. 48,868  
Agent of Record  
Customer No. 30,313  
(415) 954-4114



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

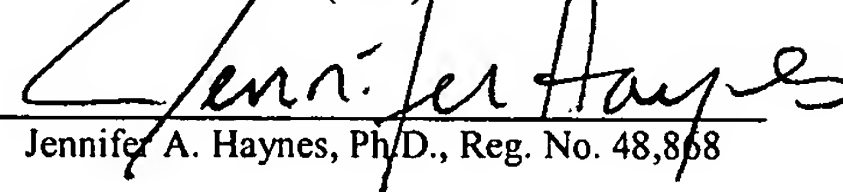
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Examiner : Jegatheesan Seharaseyon  
Group Art Unit : 1647

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August 19, 2004

(Date)

  
Jennifer A. Haynes, Ph.D., Reg. No. 48,868

RESPONSE TO NOTICE TO COMPLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This Response to Notice to Comply conforms the Sequence Listing to the rules of practice specified by the United States Patent and Trademark Office. Enclosed herewith are (1) a paper copy of the Sequence Listing. Please enter the attached Sequence Listing into the above-referenced Application.

VERIFICATION UNDER 37 C.F.R. §1.821(f) & (g)

The sequences appearing in the attached Sequence Listing were included in the application as filed and the provisional application filed August 10, 1998. Pursuant to 37 C.F.R. §1.821(g), no new matter is being added herewith. As required under 37 C.F.R. §1.821(f), I hereby verify that the data on the disk previously submitted and the paper copies of the Sequence Listing are identical.

Appl. No. : 10/063,523  
Filed : May 2, 2002

Applicants believe this response to Notice to Comply brings the present application into compliance with the Sequence Listing requirements. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

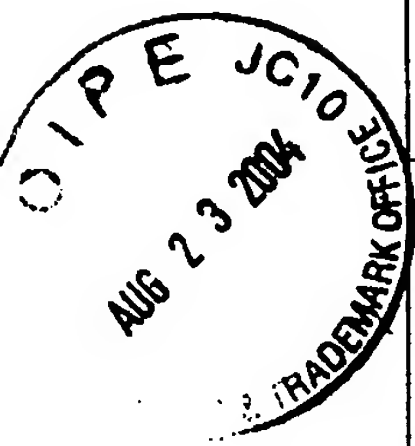
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 19, 2004

By: Jennifer Haynes  
Jennifer A. Haynes, Ph.D.  
Registration No. 48,868  
Agent of Record  
Customer No. 30,313  
(415) 954-4114

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081404



<b>Notice to Comply</b>	Application No. 10 / 063 523	Applicant(s) Eaton et al.	
	Examiner J. Schorasey m	Art Unit 1647.	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

PatentIn Software Program Support

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